

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
NORTHWESTERN DIVISION**

The Fred and Clara Eckert)	
Foundation for Children,)	
)	
Plaintiff,)	ORDER GRANTING PLAINTIFF'S
)	MOTION FOR DEFAULT JUDGMENT
vs.)	
)	Case No. 4:07-cv-051
Murfin Drilling Company, Inc.)	
and Jon M. Cockrell,)	
)	
)	
Defendants.)	

On October 23, 2007, the plaintiff, the Fred and Clara Eckert Foundation for Children (Eckert Foundation), filed a “Motion for Default Judgment Pursuant to Rule 55(b)(2) Against Jon M. Cockrell and Order for Judgment.” On October 26, 2007, the Eckert Foundation filed a “Motion for Entry of Default,” pursuant to Rule 55(a) of the Federal Rules of Civil Procedure. It has been shown that on June 4, 2007, while this matter was in state court, the Eckert Foundation attempted to serve Jon M. Cockrell with a summons and complaint by certified mail. See Docket No. 17-2. Beginning on June 6, 2007, and continuing once a week for three consecutive weeks, the Eckert Foundation served Cockrell by publication. See Docket No. 17-3. Such service seems to have been in compliance with Rule 4 of the North Dakota Rules of Civil Procedure. See Docket No. 17. Cockrell had twenty days from the final date of service by publication, June 20, 2007, to file an answer. See N.D.R.Civ.P. 12(a). To date, an answer has not been filed and an appearance has not been made on behalf of Cockrell.

On October 29, 2007, the Clerk of Court entered default against Cockrell. The Eckert Foundation’s motion for default judgment is **GRANTED** (Docket No. 13). The Clerk of Court is

directed to enter default judgment against Cockrell so that he no longer has a leasehold or other interest in the following property:

TOWNSHIP 152 NORTH, RANGE 102 WEST

Section 15: SW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$

Section 21: N $\frac{1}{2}$ SE $\frac{1}{4}$

Section 22: E $\frac{1}{2}$, NW $\frac{1}{4}$

IT IS SO ORDERED.

Dated this 30th day of October, 2007.

/s/ Daniel L. Hovland

Daniel L. Hovland, Chief Judge
United States District Court